

## **REMARKS / DISCUSSION OF ISSUES**

Claims 1-19 are presented for further consideration. Claims 1, 10 and 11 are independent claims. No amendments are made to the claims.

### **Rejections Under 35 U.S.C. § 102**

Claims 1-2 and 8-10 were rejected under 35 U.S.C. § 102(b) as being unpatentable over *Jepsen, et al.* (US Patent Publication 2005/075386). For at least the reasons set forth herein, Applicants respectfully submit that claims 1-19 are patentable over the applied art.

#### **i. Claims 1 and 10**

Claim 1 is drawn to a decentralized power generation system, and features:

*“...at least one power receiving component connected to said DC bus for retrieving current from said DC bus, wherein the power receiving component is physically separated from said DC/DC converters.”*

Claim 10 includes similar features.

In rejecting claims 1 and 10, the Office Action states:

Regarding claims 1 & 10 (a person of the ordinary skill will understand a method that is intrinsically described by the functioning of the apparatus) Jepsen et al. discloses a system/method (Fig. 1) comprising: a plurality of decentralized power generating units (FC<30...80V->, PV<100...350V->, PV <200...500V-> & 48V-), a plurality of DC/DC converters (A's), each of said DC/DC converters being connected to another one of said power generating units for converting a current provided by said power generating units; a DC bus to which each of said DC/DC converters is coupled for feeding a respectively converted current into said DC bus (3); and at least one power receiving component connected to said DC bus for retrieving current from said DC bus (B), which power receiving component is physically separated from said DC/DC converters, wherein none of the plurality of power generating units is a fuel cell, the examiner notes that Jepsen et al. discloses this variation of the system/method as explained below:

Firstly, Jepsen et al. teaches "a power converter for use in green power applications, and concerns particularly a module concept. ***Green power is the term used for energy sources like wind, sun or fuel cells, and the inventive power converter can be used for these different sources of electrical energy***" (Paragraph [0002]). Thus, the fuel cell may be replaced by any other type of green power.

Secondly, Jepsen et al. teaches "***if the green cell is a fuel cell, it operates in the voltage range 25-45 VDC***" (Paragraph [0049]). which again suggests that the fuel cell may be replaced by any other type of green power.

The Office Action seemingly relies on Fig. 1 of the applied art. Yet, no clear articulation of various components specifically recited in claims 1 and 10 is provided. Thus, the rejection fails to comply with MPEP § 706, which states, in part:

The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity (emphasis added).

The rejection likewise fails to comply with 37 CFR § 1.104(c) (2), which provides:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified (emphasis added).

Specifically, where in the applied art is there explicit disclosure of a power receiving component; and the explicit disclosure of its being physically separated from the DC/DC converters? As will be appreciated from a review of the captioned portion of the Office Action, while some features of the applied art that allegedly correspond to features of claims 1 and 10 are identified, the Office Action fails cite with clarity and specificity the alleged disclosure of the power receiving component; and its being physically separated from the DC/DC converters. As such, a proper rejection under the noted sections of the Rules and the MPEP has not been accorded Applicants. Thus, the rejection is improper and should be withdrawn.

The above notwithstanding, Applicants further submit that the noted features of claims 1 and 10 are not disclosed in the applied art. Specifically, Fig. 1 of *Jepsen, et al.* discloses a DC/DC module A connected to a DC bus 3. The DC/DC converters feed energy into the DC bus 3; and DC/AC inverter B taps the DC bus 3 and converts energy into a grid voltage and grid frequency. Some DC/DC converters are connected to PVs or FCs as shown in Fig. 1; however there is no disclosure of their being connected to a physically separated power receiving component. Rather there is only the disclosure of connection to a DC bus.

For at least the noted reasons, Applicants respectfully submit that the applied art fails to disclose at least one feature of each of claims 1 and 10. Therefore, an in accordance with common law standards noted in the Rule 111 Reply, a *prima facie* case of anticipation cannot be established based on *Jepsen, et al.* Therefore, claims 1 and 10 are patentable over the applied art. Moreover, claims 2-9, which depend from claim 1, are also patentable over the applied art for at least the same reasons.

#### ii. Claim 11

Claim 11 also features at least one power receiving component. The Office Action fails to provide further clarification as to what elements of the applied art are regarded by the Examiner as including this feature. Thus, the rejection of claim 11 also fails to comply with the noted sections of the MPEP and Rules. Moreover, because the applied art fails to disclose at least one feature of claim 11, a *prima facie* case of anticipation cannot be established based on *Jepsen, et al.* Therefore, claim 11 is patentable over the applied art. Moreover, claims 12-19, which depend from claim 11, are also patentable over the applied art for at least the same reasons.

#### Conclusion

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, the fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted on behalf of:  
Phillips Electronics North America Corp.

s/William S. Francos/

by: William S. Francos (Reg. No. 38,456)

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